

St. Louis City Ordinance 62601

FLOOR SUBSTITUTE

BOARD BILL NO. [91] 381

INTRODUCED BY ALDERMAN ALFRED WESSELS

An ordinance finding that a certain blighted area as defined in Section 99.320 of the Revised Statutes of Missouri, 1986, as amended, (the "Statute" being Sections 99.300 to 99.715 inclusive), exists in the City of St. Louis ("City") and containing a description of the boundaries of said blighted area, attached hereto and incorporated herein as Exhibit "A", known as the 5001 South 38th Street Area ("Area"); finding that redevelopment and rehabilitation of the Area is in the interest of the public health, safety, morals and general welfare of the people of the City; approving the Plan dated February 25, 1992 for the Area ("Plan"), incorporated herein by attached Exhibit "B", pursuant to Section 99.430; finding that there is a feasible financial plan for the development of the Area which affords maximum opportunity for development of the Area by private enterprise; finding that no property in the Area may be acquired by the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") through the exercise of eminent domain; finding that the Area is unoccupied, but that if it should become occupied, the Redeveloper shall be responsible for relocating any eligible occupants displaced as a result of implementation of the Plan; finding that financial aid may be necessary to enable the Area to be redeveloped in accordance with the Plan; finding that there shall be available a ten (10) year tax abatement; pledging cooperation of the Board of Aldermen and requesting various officials, departments, boards and agencies of the City to cooperate and to exercise their respective powers in a manner consistent with the Plan and containing an emergency clause.

WHEREAS, by reason of predominance of defective or inadequate street layout, insanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, there exist conditions which endanger life or DATE: February 28, 1992 PAGE: One of Seven BOARD BILL NO. 381 SPONSORED BY: ALDERMAN ALFRED WESSELS property by fire or other causes and constitute an economic or social liability or a menace to the public health, safety, morals or welfare in the present condition and use of the Area, said Area being more fully described in Exhibit "A"; and WHEREAS, such conditions are beyond remedy and control solely by regulatory process in the exercise of the police power and cannot be dealt with effectively by ordinary private enterprise without the aids provided in the

Statute; and WHEREAS, there is a need for the LCRA, a public body corporate and politic created under Missouri law, to undertake the development of the above described Area as a land clearance project under said Statute, pursuant to plans by or presented to the LCRA under Section 99.430.1 (4); and WHEREAS, the LCRA has recommended such a plan to the Community Development Commission ("CDC") and to this St. Louis Board of Aldermen ("Board"), titled "Blighting Study and Plan for the 5001 South 38th Street Area" dated February 25, 1992, consisting of a Title Page, a Table of Contents Page, and fourteen (14) numbered pages, attached hereto and incorporated herein as Exhibit "B" ("Plan"); and WHEREAS, under the provisions of the Statute, it is required that this Board take such actions as may be required to approve the Plan; and WHEREAS, it is desirable and in the public interest that a public body, the LCRA, undertake and administer the Plan in the Area; and WHEREAS, the LCRA and the CDC have made and presented to this Board the studies and statements required to be made and submitted by Section 99.430 and this Board has been fully apprised by the LCRA and the CDC of the facts and is fully aware of the conditions in the Area; and WHEREAS, the Plan has been presented and recommended by the LCRA and the CDC to this Board for review and approval; and PAGE: Two of Seven WHEREAS, a general plan has been prepared and is recognized and used as a guide for the general development of the City and CDC has advised this Board that the Plan conforms to said general plan; and WHEREAS, this Board has duly considered the reports, recommendations and certifications of the LCRA and the CDC; and WHEREAS, the Plan does prescribe land use and street and traffic patterns which may require, among other things, the vacation of public rights of way, the establishment of new street and sidewalk patterns or other public actions; and WHEREAS, this Board is cognizant of the conditions which are imposed on the undertaking and carrying out of a redevelopment project, including those relating to prohibitions against discrimination because of race, color, creed, national origin, sex, age, marital status or physical handicap; and WHEREAS, in accordance with the requirements of Section 99.430 of the Statute, this Board advertised that a public hearing would be held by this Board on the Plan, and said hearing was held at the time and place designated in said advertising and all those who were interested in being heard were given a reasonable opportunity to express their views; and WHEREAS, it is necessary that this Board take appropriate official action respecting the approval of the Plan.

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. There exists within the City of St. Louis ("City") a blighted area, as defined by Section 99.320 of the Revised Statutes of Missouri, 1986, as

amended, (the "Statute" being Sections 99.300 to 99.715 inclusive) described in Exhibit "A", attached hereto and incorporated herein, known as the 5001 South 38th Street Area ("Area").

SECTION TWO. The redevelopment of the above described Area, as provided by the Statute, is necessary and in the public interest, and is in the interest of the public health, safety, morals and general welfare of the people of the City of St. Louis.

SECTION THREE. The Area qualifies as a redevelopment area in need of redevelopment under the provision of the Statute, and the Area is blighted as defined in Section 99.320 of the Statute.

SECTION FOUR. The Blighting Study and Plan for the Area, dated February 25, 1992 ("Plan"), having been duly reviewed and considered, is hereby approved and incorporated herein by reference, and the President or Clerk of this St. Louis Board of Aldermen ("Board") is hereby directed to file a copy of said Plan with the Minutes of this meeting.

SECTION FIVE. The Plan for the Area is feasible and conforms to the general plan for the City.

SECTION SIX. The financial aid provided and to be provided for financial assistance pertaining to the Area is necessary to enable the redevelopment activities to be undertaken in accordance with the Plan for the Area, and the proposed financing plan for the Area is feasible.

SECTION SEVEN. The Plan for the Area will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the redevelopment of the Area by private enterprise, and private developments to be sought pursuant to the requirements of the Statute.

SECTION EIGHT. The Plan for the Area provides that the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") may not acquire, by the exercise of eminent domain, any property in the Area.

SECTION NINE. The Area is currently unoccupied, but if it should become occupied, all eligible occupants displaced by the Redeveloper ("Redeveloper" being defined in Section Twelve, below) shall be given relocation assistance by the Redeveloper at its expense, in accordance with all applicable federal, state and local laws, ordinances, regulations and policies.

SECTION TEN. The Plan for the Area gives due consideration to the provision of adequate public facilities.

SECTION ELEVEN. In order to implement and facilitate the effectuation of the Plan hereby approved it is found and determined that certain official actions must be taken by this Board and accordingly this Board hereby:

- (a) Pledges its cooperation in helping to carry out the Plan;
- (b) Requests the various officials, departments, boards and agencies of the City, which have administrative responsibilities, likewise to cooperate to such end and to execute their respective functions and powers in a manner consistent With the Plan; and
- (e) Stands ready to consider and take appropriate action upon proposals and measures designed to effectuate the Plan.

SECTION TWELVE. All parties participating as owners or purchasers of property in the Area for redevelopment ("Redeveloper") shall agree for themselves and their heirs, successors and assigns that they shall not discriminate on the basis of race, color, religion, national origin, sex, marital status, age or physical handicap in the sale, lease, or rental of any property or improvements erected or to be erected in the Area or any part thereof and those covenants shall run with the land, shall remain in effect without limitation of time, shall be made part of every contract for sale, lease, or rental of property to which Redeveloper is a party, and shall be enforceable by the LCRA, the City and the United States of America.

SECTION THIRTEEN. In all contracts with private and public parties for redevelopment of any portion of the Area, all Redevelopers shall agree:

- (a) To use the property in accordance with the provisions of the Plan, and be bound by the conditions and procedures set forth therein and in this Ordinance;
- (b) That in undertaking construction under the agreement with the LCRA and the Plan, bona fide minority and women subcontractors and material suppliers will be solicited and fairly considered for subcontractors and purchase orders by the general contractor and other subcontractors under the general construction contracts let directly by the Redeveloper;

(c) To be bound by the conditions and procedures regarding the utilization of minority and women business enterprises established by the Community Development Commission of the City of St. Louis ("CDC");

(d) To adhere to the requirements of the Executive Orders of the Mayor of the City, dated December 6, 1984 and January 10, 1990;

(e) To comply with the requirements of Ordinance No. 60275 of the City;

(f) To cooperate with those programs and methods supplied by the City with the purpose of accomplishing, pursuant to this paragraph, minority and women subcontractors and material supplier participation in the construction under this Agreement. The Redeveloper will report semi annually during the construction period the results of its endeavors under this paragraph, to the Office of the Mayor and the President of this Board; and

(g) That the language of this Section Thirteen shall be included in its general construction contract and other construction contracts let directly by Redeveloper.

The terms "minority contractor" or "minority material supplier" shall mean a business enterprise at least fifty one percent (51%) of which is owned and controlled by members of minorities. The terms "members of a minority" or "minority" mean Black Americans, Native Americans, Hispanic Americans, Asians, Pacific Islanders and other protected classes.

The terms "woman contractor" and "woman material supplier" shall mean a business enterprise at least fifty one percent (51%) of which is owned and controlled by women.

The term "Redeveloper" as used in this Section shall include its successors in interest and assigns.

SECTION FOURTEEN. A Redeveloper may seek ten (10) year tax abatement only pursuant to Section 99.700 99.715, Revised Statutes of Missouri, upon application as provided therein.

SECTION FIFTEEN. Where a proposed modification will substantially change the Plan, the modification must be approved by this Board in the same manner as the Plan was first approved. Modifications which will substantially change the Plan include, but are not necessarily limited to, modifications on the use of eminent domain, to the length of tax abatement, to the boundaries of the Area,

or to other items which alter the nature or intent of the Plan. The Plan may be otherwise modified (e.g. urban design regulations, development schedule) by the LCRA, provided that such modification shall be effective only upon the consent of the CDC. Changes which are not substantial are those that do not go to the crux of the Plan.

SECTION SIXTEEN. The sections of this Ordinance shall be severable. In the event that any section of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining sections of this Ordinance are valid, unless the court finds the valid sections of the Ordinance are so essential and inseparably connected with and dependent upon the void section that it cannot be presumed that this Board would have enacted the valid sections without the void ones, or unless the court finds that the valid sections standing alone are incomplete and are incapable of being executed in accordance with the legislative intent.

SECTION SEVENTEEN. This Ordinance, being necessary for the immediate preservation of public health, safety and general welfare, shall be and is hereby declared to be an emergency measure within the meaning of Article IV, Section 20, of the Charter of The City of St. Louis, and as such shall take effect immediately upon its approval by the Mayor.

EXHIBIT "A"

SOUTH FOURTH/SPRUCE AREA LEGAL DESCRIPTION

TRACT 2 OF CIVIC CENTER SUBDIVISION PLAT 2, according to the plat thereof recorded in Plat Book 35, pages 34 and 35 of the City of St. Louis Records, and being also Block 6468 of the City of St. Louis.

The above described land is the same land described in the Lease Purchase Agreement recorded in Book 8543, page 299, of the City of St. Louis Records, as follows:

A tract of land in Block 6468 of the City of St. Louis, and being described as follows:

Beginning at the point of intersection of the south line of Walnut Street with the west line of property owned by the State Highway Commission of Missouri, said beginning point having coordinates 96602.360 north and 213047.318 east; thence southerly along the west line of property owned by the State Highway Commission of Missouri, south 35 degrees 54 minutes 39 seconds east a distance of 50.075 feet to a point having coordinates 96561.803 north and 213076.688 east; thence continuing along

said property line south 17 degrees 06 minutes 25 seconds west a distance of 708.361 feet to a point having coordinates 95884.782 north and 212868.320 east; thence continuing along said property line south 56 degrees 48 minutes 37 seconds west a distance of 94.667 feet to a point having coordinates 95832.960 north and 212789.099 east; thence north 71 degrees 41 minutes 53 seconds west along the north line of Spruce Street a distance of 178.616 feet to the point of curvature of a 20.000 feet radius rounding curve to the right having coordinates 95889.850 north and 212619.517 east; thence along said curve an arc distance of 31.191 feet to the point of tangency, said point having coordinates 95914.104 north and 212606.740 east; thence north 17 degrees 39 minutes 27 seconds east a distance of 271.570 feet to a point having coordinates 96172.879 north and 212689.114 east; then north 17 degrees 06 minutes 11 seconds east a distance of 496.863 feet to the point of curvature of a 20.000 foot radius rounding curve to the right, said point having coordinates 96647.769 north and 212835.239 east; thence along said curve an arc distance of 31.521 feet to the point of tangency, said point having coordinates 96660.971 north and 212860.337 east; thence along the south line of Walnut Street south 72 degrees 35 minutes 45 seconds east a distance of 195.952 feet to the point of beginning, according to a survey thereof by Thatcher & Patient, Inc., in August, 1964.

EXCEPTING THEREFROM that part of the above described Tract 2 conveyed to St. Louis S.I. Ltd. by Quit Claim Deed dated January 15, 1986, and recorded in Book 522M, page 1220.

EXHIBIT B
FORM: 2/24/92

BLIGHTING STUDY AND PLAN
FOR
5001 SOUTH 38TH STREET AREA
PROJECT # 245
LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY
OF THE CITY OF ST. LOUIS
FEBRUARY 25, 1992
MAYOR

VINCENT C. SCHOEMEHL, JR.

BLIGHTING STUDY AND PLAN FOR

5001 SOUTH 38TH STREET AREA

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"A" LEGAL DESCRIPTION

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A. EXISTING CONDITIONS AND FINDINGS OF BLIGHT

1. DELINEATION OF BOUNDARIES

The 5001 South 38th Street Area ("Area") encompasses approximately 1/2 acre in the Dutchtown South neighborhood of the City of St. Louis ("City").

The legal description of the Area is attached and labeled Exhibit "A". The boundaries of the Area are delineated on Exhibit "B" ("Project Area Plan").

2. GENERAL CONDITION OF THE AREA

The Area comprises the northwest corner of City Block 4707, and is in poor condition. The physical conditions within the Area are shown on Exhibit "B" (Project Area Plan). For the purpose of this Plan, "Fair Condition" means (1) property that is generally structurally sound but suffers from inadequate maintenance and upkeep, or (2) vacant unimproved property that is underutilized. "Poor Condition" means (1) buildings that are structurally unsound and/or substantially deteriorated, requiring major improvements such as new roofs, windows, systems, etc., in order to be used productively, or (2) property without buildings which is poorly maintained, has crumbling pavement, and/or is used for open storage.

Unemployment figures, computed by the Missouri State Employment Service, indicate a 7.8% unemployment rate for the City of St. Louis as of December, 1991. It is estimated that this rate is prevalent for residents of the neighborhoods surrounding the Area, although there are no residents within the Area.

There are currently no jobs within the Area.

3. PRESENT LAND USE AND DENSITY OF THE AREA

Existing land uses within the Area include an unoccupied industrial building.

The land use, including the location of public and private uses, streets and other rights-of-way is shown on Exhibit "B".

4. PRESENT LAND USE OF SURROUNDING PROPERTIES

The properties to the east, west and south of the Area are primarily industrial uses and to the north are industrial uses.

Residential density for the surrounding neighborhoods is approximately 16.2 persons per acre.

5. CURRENT ZONING

The Area is zoned "K" unrestricted District pursuant to the Zoning Code of the City of St. Louis which is incorporated in this Plan by reference.

6. FINDING OF BLIGHT

The property within the Area is unoccupied and in poor condition (as defined in Section A(2) above). The existence of underutilized and deteriorated property constitutes both an economic liability to the City of St. Louis and presents a hazard to the health and well-being of its citizens. These conditions, therefore, qualify the Area as blighted within the meaning of Section 99.300 et seq. of the Revised Statutes of Missouri (the Land Clearance for Redevelopment Authority Law).

B. PROPOSED DEVELOPMENT AND REGULATIONS

1. DEVELOPMENT OBJECTIVES

The primary objective of this Plan is to facilitate the development of the Area into productive industrial uses.

2. PROPOSED LAND USE OF THE AREA

The proposed land uses for the Area are industrial uses permitted in Areas designated "K" District by the City of St. Louis Zoning Code. Redevelopers contracting with the Land Clearance for Redevelopment Authority of the City of St. Louis ("LCRA") to develop property in the Area (hereafter referred to as "Redeveloper") shall not be permitted to use said property for the following:

pawn shops, adult bookstores, x-rated movie houses, massage parlors or health spas, storefront churches, pinball arcades, pool halls, secondhand or junk shops, tattoo parlors, truck or other equipment rentals requiring outside storage, blood donor facilities, free standing package liquor stores, check cashing centers, any use (except for financial institutions) that utilizes a sales or service window or facility for customers who are in cars, or restaurants that sell products to customers who are in cars or who consume the sold products in cars parked on

the restaurant premises, or sell products through a sales window to customers who are in cars or to pedestrians outside the building for immediate consumption by the customer either on or off the premises, automobile service or stations, or automobile dealers (new or used).

Exhibit "C" (Proposed Land Use) shows the proposed uses for the Area.

3. PROPOSED ZONING

The zoning for the Area can remain "K" unrestricted District. All land coverage and building intensities shall be governed thereby.

4. RELATIONSHIP TO LOCAL OBJECTIVES

The proposed land uses, zoning, public facilities and utility plans are appropriate and consistent with local objectives as defined by the General Plan of the City of St. Louis which includes the "Comprehensive City Plan" (1947), the "St. Louis Development Program" (1973), and the "Economic Development Strategy" (1978). Any specific proposal to the LCRA for development of the Area or any portion of the Area shall contain, among other things, adequate provisions for traffic, vehicular parking, safety from fire, adequate provisions for light and air, sound design and arrangement and improved employment opportunities.

5. PROPOSED EMPLOYMENT FOR THIS AREA

Approximately 5 to 8 new permanent jobs will be created or retained if the Area is developed in accordance with this Plan. The exact number of jobs created will depend upon the specific nature of the proposed development.

6. CIRCULATION

The Proposed Land Use Plan (Exhibit "C") indicates the proposed circulation system for the Area. The layouts, levels and grades of all public rights-of-way may remain unchanged.

Rights-of-way changes will be subject to the review and approval of the City Department of Streets, and all vacations of rights-of-way are subject to approval by ordinance.

7. BUILDING AND SITE REGULATIONS

The Area shall be subject to all applicable federal, state and local laws, ordinances, regulations and codes, including but not limited to, the City Building Code, Zoning District Regulations, and stipulations of the Heritage and Urban Design Commission ("HUDC") of the City. The population densities, land coverage, and building intensities of redevelopment shall be

governed by the Zoning Code. No changes in the building codes or ordinances are required.

8. URBAN DESIGN

a. Urban Design Objectives

The intent is to rehabilitate and upgrade for more productive use an outmoded industrial warehouse structure.

b. Urban Design Regulations

Rehabilitation of the structure shall respect the original exterior in terms of Design and materials. Window and door shapes and other architectural features shall be compatible with the original building design. The building should be cleaned and tuck-pointed. In instances where LCRA agrees, certain window and door openings can be sealed. The material used for such sealing shall be brick, compatible with the existing brick in size, color, coursing, mortar color, etc. and shall be recessed a minimum of two (2) inches from the building wall.

c. Landscaping

The property shall be well landscaped. Perimeter street trees at least 2 1/2 inches in caliper shall be provided along, generally on 25 foot centers depending on species, presence of street furniture, utilities and architectural features of the building.

Each Redeveloper shall maintain all structures, equipment, paved areas, and landscaped areas controlled by the Redeveloper in good and safe order both inside and outside, structurally and otherwise, including necessary and proper painting. Failure to meet this requirement may result in suspension of tax abatement.

9. PARKING REGULATIONS

Parking shall be provided in accordance with the applicable zoning and building code requirements of the City, including HUDC standards. This will provide adequate vehicular parking for the Area.

Surface parking shall not extend beyond the established building line. Surface parking along public streets shall be buffered by a continuous evergreen hedge at least two and one-half (2-1/2) feet high on planting and maintained at three and one-half (3-1/2) feet high at maturity. Three percent (3%) of the interior of all parking lots containing more than twenty-five (25) spaces shall be landscaped with trees, at least two and one-half (2-1/2) inch caliper in size on planting. The trees shall be planted on islands, the largest dimension of which

shall be at least five (5) feet, planted with low-lying ground cover or other plant material.

10. SIGN REGULATIONS

All new signs shall be limited as set out in the City Code, HUDC stipulations, this Plan and contracts between the LCRA and the Redeveloper. A uniform signage plan must be prepared by the Redeveloper for the entire building. All new signs shall be restricted to those identifying the names and/or business of the person or firm occupying the premises. The existing pole signs should be removed.

New wall signs shall not obstruct any architectural building elements, shall be placed only on the fronts of buildings or on those sides of the buildings fronting on public or private streets, shall project no more than eighteen (18) inches from the face of the building, shall not extend above the second floor window sill of the structure, and the total sign area shall be the lesser of either fifty (50) square feet or ten percent (10%) of the ground floor wall surface fronting on such streets. Only one sign per business per wall facing on a public or private street shall be permitted.

Canvas awnings with signs are permitted, provided they are compatible with the overall design and architectural details of the building upon which they are to be placed. Signage on awnings is limited to awning apron. In no case shall signage be allowed on both an awning apron and a building for the same business.

One ground or monument sign per use may be permitted provided it does not exceed eight (8) feet in height nor exceed twenty-five (25) square feet per side, and provided the LCRA confirms that such a sign is required based upon the use, location or siting of the structure.

Businesses having more than 40,000 square feet of ground floor area may have signs proportionately larger than the maximum size set out in this section, provided that the LCRA confirms that there is need based upon the use, location, or siting of the building.

Painted wall signs, pole signs, moving signs, animated or flashing signs or permanent or portable message board signs shall not be permitted in the Area and no regular or mini billboards (free standing or mounted on structures) shall be erected or maintained in the area, except that construction and leasing signs may be maintained during construction and for a period of one (1) year after completion of improvements on any respective parcel or part thereof.

11. BUILDING, CONDITIONAL USE AND SIGN PERMITS

No building, conditional use, or sign permits shall be issued by the City of St. Louis without the prior written approval of the LCRA.

12. PUBLIC IMPROVEMENTS

No additional schools, parks, recreational and community facilities or other public facilities will be required. Additional water, sewage or other public utilities may be required depending on development. The cost of such utility improvements will be borne by the Redeveloper.

If funds are available to the LCRA, it may provide public improvements including, but not limited to, measures for the control of traffic, improvements to street lighting, street trees, and any other improvements which may further the objectives of this Plan.

When developed in accordance with this Plan, the Area will comprise a coordinated, adjusted and harmonious development that promotes the health, safety, morals, order, convenience, prosperity, the general welfare, efficiency and economy of the City.

C. PROPOSED SCHEDULE OF DEVELOPMENT

The implementation of this Plan shall take place in a single phase initiated within approximately one (1) year of approval of this Plan by ordinance and completed within approximately two (2) years of approval of this Plan by ordinance.

The LCRA may alter the above schedule as economic conditions warrant.

D. EXECUTION OF PROJECT

1. ADMINISTRATION AND FINANCING

The LCRA is empowered by Missouri law to administer development of all types pursuant to this Plan and can do so to the extent and in the manner prescribed by the Land Clearance for Redevelopment Authority Law of Missouri.

All costs associated with the development of the Area will be borne by the Redeveloper.

Implementation of this Plan may be financed by funds obtained from private and/or public sources, including, without limitation, revenue bonds, bank loans, and equity funds provided by the Redeveloper.

2. PROPERTY ACQUISITION

The Property Acquisition Map, Exhibit "D" attached, identifies all the property located in the Area. The LCRA may not acquire any properties in the Area by the exercise of eminent domain.

3. PROPERTY DISPOSITION

If the LCRA acquires property in the Area, it may sell or lease the property to a Redeveloper who shall agree to develop such property in accordance with this Plan and the contract between such Redeveloper and the LCRA. Any property acquired by the LCRA and sold to a Redeveloper will be sold at not less than its fair value, taking into account and giving consideration to those factors enumerated in Section 99.450, R.S. MO. (1986) as amended, for uses in accordance with this Plan.

4. RELOCATION ASSISTANCE

The property within the Area is currently unoccupied. If it should become occupied, all eligible occupants displaced as a result of the implementation of the Plan shall be given relocation assistance in accordance with all applicable federal, state and local laws, ordinances, regulations and policies. In addition, timely notice of development activities shall be provided to all occupants.

E. COOPERATION OF THE CITY

The City of St. Louis and its Board of Aldermen, by enacting an ordinance approving this Plan, pledges its cooperation to enable the project to be carried out in a timely manner and in accordance with this Plan.

F. TAX ABATEMENT

A Redeveloper shall hereby be entitled to ad valorem tax abatement benefits for a period not to exceed ten (10) years from the commencement of such tax abatement. A Redeveloper may seek such tax abatement pursuant only to Sections 99.700 - 99.715, Revised Statutes of Missouri, upon application as provided therein.

G. COMPLIANCE WITH AFFIRMATIVE ACTION AND NONDISCRIMINATION LAWS AND REGULATIONS

1. LAND USE

The Redeveloper shall not discriminate on the basis of race, color, religion, national origin, marital status, sex, age, or physical handicap in the lease, sale or occupancy of the Area.

2. CONSTRUCTION AND OPERATIONS

A Redeveloper shall not discriminate on the basis of race, color, religion, national origin, marital status, sex, age, or physical handicap in the construction and operation of any project in the Area and shall take such affirmative action as may be appropriate to afford opportunities to everyone in all activities of the project, including enforcement, contracting, operating and purchasing.

3. LAWS AND REGULATIONS

A Redeveloper shall comply with all applicable federal, state and local laws, ordinances, executive orders and regulations regarding nondiscrimination and affirmative action, including the Community Development Agency Guidelines for Maximum Utilization of Minority Enterprises dated January 1, 1981, as may be amended, and the "Equal Opportunity and Nondiscrimination Guidelines" in Exhibit "E", attached.

4. ENFORCEMENT

All of the provisions of this Section G shall be incorporated in a Contract between the LCRA and a Redeveloper, which agreement shall be recorded in the office of the Recorder of Deeds. The provisions of G (1) shall be covenants running with the land, without limitation as to time, and the provisions of G (2) shall be for the duration of this Plan and any extension thereof.

All of the provisions of Section G shall be enforceable against the Redeveloper, its heirs, successors or assigns, by the LCRA, the City of St. Louis, any state having jurisdiction or the United States of America.

H. MODIFICATIONS OF THIS PLAN

Where a proposed modification will substantially change this Plan, the modification must be approved by the St. Louis Board of Aldermen in the same manner as this Plan was first approved. Modifications which will substantially change this Plan include, but are not necessarily limited to, modifications on the use of eminent domain, to the length of tax abatement, to the boundaries of the Area, or other items which alter the nature or intent of this Plan.

This Plan may be otherwise modified (e.g. urban design regulations, development schedule) by the LCRA, provided that such modification shall be effective only upon the consent of the St. Louis Community Development Commission. Changes which are not substantial are those that do not go to the crux of this Plan.

I. DURATION OF REGULATION AND CONTROLS

The regulation and controls set forth in this Plan shall be in full force and effect for twenty-five years commencing with the effective date of approval of this

Plan by ordinance, and for additional ten (10) year periods unless before the commencement of any such ten (10) year period the Board of Aldermen shall terminate this Plan as of the end of the term then in effect, except as provided in Section G (4) of this Plan.

J. EXHIBITS

All attached exhibits are hereby incorporated by reference into this Plan and made a part hereof.

K. SEVERABILITY

The elements of this Plan satisfy all requirements of state and local laws. Should any provisions of this Plan be held invalid by a final determination of a court of law, the remainder of the provisions hereof shall not be affected thereby, and shall remain in full force and effect.

EXHIBIT "A"

5001 SOUTH 38th STREET AREA LEGAL DESCRIPTION

PARCEL 1.

A Lot in Block 4707 of the City of St. Louis, beginning at the intersection of the South line of Delor Street with the West line of 38th Street, thence Southwardly on the West line of 38th Street 142 feet 5 inches to a point, thence Westwardly 216 feet 10 inches, more or less, to the East line of Right of Way of Missouri Pacific Railway Company thence following said Railway Right of Way in a Northwardly direction to the point of intersection of the East line of said Right of Way with the South line of Delor Street, thence Eastwardly on the South line of Delor Street 244 feet 7-1/4 inches to the West line of 38th Street, the point of beginning.

PARCEL 2.

The Northern 50 feet of Lot 26 in Block 8 of Murphy Estate Subdivision and in Block 4708 of the City of St. Louis, fronting 50 feet on the East line of Thirty-Eighth Street, by a depth Eastwardly between parallel lines of 142 feet 6 inches to an alley; bounded North by Delor Street.

EXHIBIT "E"

FORM: 2/18/92

EQUAL OPPORTUNITY AND NONDISCRIMINATION GUIDELINES

In any contract for work in connection with the redevelopment of any property in the Area, the Redeveloper (which term shall include Redeveloper, any designees, successors and assigns thereof, and any entity formed to implement the project of which the Redeveloper is a general partner), its contractors and subcontractors will include a clause requiring compliance with all federal, state and local laws, ordinances, or regulations governing equal opportunity and nondiscrimination, the Executive Orders of the Mayor of the City dated December 6, 1984 and January 10, 1990, and all guidelines herein.

The Redeveloper and its contractor will not contract or subcontract with any party known to have been found in violation of any such laws, ordinances, regulations or these guidelines.

In the redevelopment of the Area, there shall be maximum utilization of bona fide minority business enterprises ("MBE's") and women business enterprises ("WBE's") and, together with MBE's, "disadvantaged business enterprises" or "DBE's" The Redeveloper will set a minimum goal of twenty-five percent (25%) MBE participation and five percent (5%) WBE participation under these guidelines. In the event the Redeveloper fails to attain that goal, the Redeveloper may be required to show good cause therefor; provided however, that this requirement will be deemed to have been met when documentation evidences that all available resources (i.e. DBE suppliers, contractors, and subcontractors) willing to perform the work or provide the supplies-- at a price which (i) is within the range requested by non-DBE's; or (ii) if higher than that requested by non-DBE's, is attributable to the effects of past discrimination--have been exhausted.

For purposes of this section, the term "minority business enterprise" (or "MBE") means a business at least fifty-one percent (51%) of which is owned and controlled by minority group members. The term "women business enterprise" (or "WBE") means a business at least fifty-one percent (51%) of which is owned and controlled by females.

The Redeveloper agrees for itself and its successors and assigns, that there shall be covenants to ensure that there shall be no discrimination on the part of the Redeveloper, its successors or assigns upon the basis of race, color, religion, national origin, sex, marital status, age or physical handicap in the sale, lease, rental, use or occupancy of any property, or any Improvements erected or to be erected in the Area or any part thereof, and those covenants shall run with the land and shall be enforceable by the LCRA, the City, and the United States of America, as their interests may appear in the project.

The Redeveloper agrees that if the redevelopment of the Area creates permanent jobs, it shall enter into an Employment Plan with the Saint Louis Agency on Training and

Employment (SLATE) and the LCRA for referral of Jobs Training Partnership Act (JTPA) eligible individuals. Said plan shall specify the number of jobs to be covered by the Employment Plan, the target date for referrals to begin, and the procedure for referral. RESOLUTION NO. 92-LCRA- 5045 PRESENTED TO THE BOARD ON FEBRUARY 25, 1992

TO: LCRA BOARD OF COMMISSIONERS AND J. CHRISTOPHER GRACE,
EXECUTIVE DIRECTOR

FROM: DALE RUTHSATZ

RE: RESOLUTION DECLARING THE 5001 SOUTH 38TH STREET AREA TO
BE BLIGHTED, APPROVING A BLIGHTING STUDY AND PLAN FOR THE
5001 SOUTH 38TH STREET AND AUTHORIZING THE ADVERTISEMENT FOR
REDEVELOPERS OF THE AREA (4245)

EXECUTIVE SUMMARY:

This 5001 South 38th Street Area (the "Area"), more fully described in Exhibit "A" attached hereto and incorporated herein by reference, consists of one unoccupied industrial building in the Dutchtown South neighborhood. This Resolution approves the blighting of the Area, approves the Blighting Study and Plan for the Area, dated February 25, 1992, attached hereto and incorporated herein by reference as Exhibit "B" (the "Plan"), which provides for no use of eminent domain, and a ten year tax abatement, and authorizes the advertisement for redevelopers for the Area.

BACKGROUND:

The property in the Area is in a deteriorated condition and in need of rehabilitation. It is hoped that the blighting of the Area and the approval of a Plan with ten year tax abatement will facilitate the development of the property into a productive industrial use.

REQUESTED ACTION:

Declaration of the Area as "blighted", as defined in Section 99.320, R.S. Mo., approval of the Plan, and authorization to advertise for redevelopers pursuant to Section 99.450, R.S. Mo, 1986, as amended

NOW, THEREFORE, be it resolved by the Board of Commissioners of the Land Clearance for Redevelopment Authority of the City of St. Louis as follows:

1. The Area is hereby found and declared to be a blighted area in need of redevelopment pursuant to the Land Clearance for Redevelopment Authority Law, Section 99.320 99.700, R.S. Mo. (1986), as amended.
2. The Plan is hereby approved.
3. The Executive Director and Deputy Director are each hereby authorized and directed to submit the Plan to the Community Development Commission for its review and recommendation and to the Board of Aldermen for its approval.
4. The Executive Director and the Deputy Director of the LCRA are each hereby directed to prepare for this Board, for its review and approval, all documents required to be approved to carry out the terms and intent of this Resolution.
5. The Executive Director and the Deputy Director of the LCRA are each hereby further authorized and directed to place advertisements for proposals for the development of any and all of the property included in the Plan as required by Section 99.450(2) R.S. Mo., (1986) as amended.
6. All proposals which are received in response to said advertisements shall be reviewed and presented to this Board with the recommendation of the Executive Director of the LCRA.
7. The Executive Director and the Deputy Director of the LCRA are each hereby further authorized and directed to take any and all other necessary and proper actions to effectuate the intent of this Resolution and to carry out the Plan, including assistance by the LCRA in financing by means of public loans or grants, issuance of revenue bonds, or such other financing as is permitted by law, after securing all necessary approvals from this Board, the Board of Aldermen, and any and all other appropriate governmental agencies.

Legislative History				
1ST READING	REF TO COMM	COMMITTEE	COMM SUB	COMM AMEND
02/28/92	02/28/92	HUDZ		
2ND READING	FLOOR AMEND	FLOOR SUB	PERFECTN	PASSAGE
03/20/92			03/27/92	03/31/92

ORDINANCE	VETOED	VETO OVR
62601		